

Opportunities for Victim Involvement

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Victim's Right to Make Statement

The Washington State Constitution affords victims of crime the right to make a statement "at any proceeding where the [offender's] release is considered" (Article I, Section 35). Such proceedings include reviews of parole eligibility conducted by the Indeterminate Sentence Review Board (ISRB) under the provisions of RCW 9.95.100. When reviewing the parole eligibility of an inmate, it is the policy of the ISRB to accept and consider statements from victims of any crimes committed by that inmate, not only the crimes for which the offender is currently serving a sentence.

In cases of homicide, or in other cases in which the victim is unavailable or chooses not to make a statement personally, a victim representative may exercise the victim's right to make a statement. A victim representative may be a family member or friend of the victim, a victim advocate, or anyone designated by the victim or victim's family to represent the perspective of the victim in the parole eligibility review process.

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Form of Statement

There are several options available for a victim who chooses to make a statement to the Board at the time of a parole eligibility review. One option is to submit a written statement, either on paper or electronically, for the Board to consider. Such statements are read by all Board Members prior to a decision. They are then permanently retained in the Board's file (unless the person submitting the statement requests that it be handled in some other way) and considered again in all future parole eligibility reviews.

As an alternative to a written statement, a victim may submit a statement recorded on audiotape or videotape. Statements submitted in one of these formats are reviewed and retained in the same manner as written statements.

Victims and their representatives may also meet directly with members of the ISRB, in any one of several ways. Victims may meet in-person with all Board Members at a regularly scheduled public meeting of the ISRB to present a statement orally

and/or in writing. Arrangements may be made for victims or their representatives to participate telephonically in such meetings.

Victims may also schedule a private meeting with the Chair of the ISRB, who will then communicate their concerns, information and perspectives to the other members. Victims who meet privately with the Chair may also, if they so desire, submit a written statement, which will become a permanent part of the ISRB file.

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Content of Statements

Victims and victim representatives may present in their statements anything they want the ISRB members to consider in reviewing the parole eligibility of the offender. ([See section on Factors Considered by the ISRB in Determining Eligibility for Parole.](#))

Board Members have in their files a detailed description of the crime(s) for which the inmate is serving the sentence, as well as all known prior criminal history. They also have recent psychological assessments, the observations of prison staff regarding the inmate's past and current behavior, and records of any training, treatment, or other programming that may reflect progress toward rehabilitation. A panel of Board Members also conducts a hearing at the prison at which the inmate can speak with them directly and present a "case" for parole eligibility.

Victims are encouraged to include in their statements any information they would like the members of the ISRB to know about the impact of the crime on them and/or their families, both at the time of the crime and in the intervening years.

Since this is information that the Board cannot obtain from any other source, it can be very valuable to the Board in arriving at a more complete view of the crime and the offender. The ISRB also welcomes any information from victims that is relevant to its evaluation of the inmate's progress toward rehabilitation.

The victim's statement may include a recommendation regarding factors the ISRB should consider in determining parole eligibility, an opinion about the total length of time the offender should serve, and a request for any specific conditions the victims would like the Board to impose if parole is granted.

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Confidentiality of Statements (Limited)

Some content of victim's communication with the ISRB may be held confidential and not be accessible to the inmate. The law does not require release to the inmate of the identification of the source of victim input or the specific comments made by the victim. However, the law requires that the inmate be made aware that victim information was received and considered by the Board. Information about your communications with the Office of Crime Victims Advocacy for the purpose of learning about the process and reaching a decision about whether to participate will not be disclosed to the inmate or anyone representing the inmate. As quasi-judicial officers, the Board must not have ex-parte (purely secret) communications affecting the liberty interests of inmates under its jurisdiction.

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Requesting Opportunity to Make Statement

Victims or representatives of victims who wish to make a statement to the ISRB regarding the parole eligibility of an inmate may do so by writing, telephoning, or sending an e-mail message to the Advocacy Services Coordinator at the Washington State Office of Crime Victims Advocacy. The Advocacy Services Coordinator will answer any questions you may have about the current status of the offender in the corrections system, the anticipated schedule of future parole eligibility reviews, and options for participating in the parole process. The Advocacy Services Coordinator can also assist you in preparing a written statement, scheduling a meeting with Board Members, or finding other sources of assistance.

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Mailing Address:

Office of Crime Victims Advocacy

Attn: Advocacy Services Coordinator

P.O. Box 48300

Olympia, WA 98504-8300

Toll-Free Telephone Number:

1-800-822-1067